



CALIFORNIA STATE BOARD OF EDUCATION

SEPTEMBER 2004 AGENDA

☒ General Waiver

SUBJECT

Request by **Capistrano Unified School District** to waive *Education Code* (EC) section 37202, the equity length of time requirement, to allow a full day kindergarten program at two of the district's fifty elementary schools, **San Juan and Las Palmas Elementary Schools**.

Waiver Number: 4-6-2004

☒ **Action**

☐ **Consent**

RECOMMENDATION

☐ **Approval** ☒ **Approval with conditions** ☐ **Denial**

For one year with the condition that the district submit an evaluation of the program before a renewal is considered.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education has approved similar waivers in the past.

SUMMARY OF KEY ISSUES

The Capistrano Unified School District requests a waiver of EC section 37202, in order to operate full day kindergartens at two out of their 50 elementary schools, San Juan and Las Palmas in a total of six classrooms. These two schools have the highest number of English learners and economically disadvantaged students. These schools also operate the Dual Immersion English/Spanish Language Program. The purpose of increasing the instructional time is to help these limited English language students develop in the areas of language to increase overall student achievement. While some of the district's schools have Academic Performance Index (API's) scores in the 800 range, these two schools are in the 600's. Extending the instructional time at this level will only enhance the educational opportunities for these students.

The district has the support of the bargaining units as well as the parents at those schools. In February 2004, a district-wide outreach program was launched to recruit as many potential kindergarten students as possible within the entire district attendance area. The open enrollment policy at the district has allowed several parents to enroll their kindergarten students at one of these two schools. Outreach efforts will continue this fall as the district will send out letters to all parents informing them of the extended day kindergartens at these two schools. This effort meets the requirement of informing all of the parents within the district of this waiver and the extended day kindergarten programs at these two schools.

In February 2002, the district adopted EC sections 8970 through 8974 establishing the Early Primary Program when they first started planning for the extended day kindergartens. The district's bargaining unit has approved of this waiver. These two

school sites have the space available to operate full day kindergartens.

Therefore, the department recommends approval for one year with the condition that the district must submit an evaluation of the extended day kindergarten program before a renewal will be considered.

Authority for Waiver: *Education Code (EC) Section 33050*

Period of request: August 25, 2004 to June 30, 2005

Local board approval date(s): May 24, 2004

Public hearing held on date(s): May 24, 2004

Bargaining unit(s) consulted on date(s): March 15, 2004 and April 27, 2004

Name of bargaining unit/representative(s) consulted: Frank Weirath (CUEA President), John Lynch (CSEA President)

Position of bargaining unit(s) (choose only one):

☐ Neutral ☒ Support ☐ Oppose

Comments (if appropriate):

Public hearing advertised by (choose one or more):

☐ posting in a newspaper ☒ posting at each school ☒ other (specify) CUSD
web site

Advisory committee(s) consulted: School site councils

Objections raised (choose one): ☒ None ☐ Objections are as follows:

Date(s) consulted: March 22, 2004 and March 29, 2004

FISCAL ANALYSIS (AS APPROPRIATE)

District will absorb any additional costs.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.